

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11562 of 2017

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Inamul Haque, Son of Hanif, resident of Pachhim Ajimganj Momin Tola,
Ward No. 13, P.S. Kharagpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate- cum-District Returning Officer, Munger.
2. Sub. Divisional officer/Returning Officer, Haveli Kharagpur, District- Munger.
3. Secretary, State Election Commission, Bihar, Patna.
4. Majibur Rahman, Son of Sajimuddin, resident of Village- Khash Bazar, Momin Tola, Ward No. 13, P.S. Kharagpur, District- Munger.

.... Respondent/s

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Appearance:

For the Petitioner/s	:	Mr. Amar Nath Singh, Advocate Mr. Ashok Kumar, Advocate
For the State E.C.	:	Mr. Amit Shrivastava, Advocate Mr. Sanjeev Nikesh, Advocate
For the State	:	Mr. Kaushal Kr. Jha- AAG-8

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 06-09-2017 Heard learned counsel for the petitioner, State and

the State Election Commission.

2. The petitioner has moved the Court for the
following reliefs:-

*“(i) For quashing the order dated 20.07.2017
passed Election Petition No. 01 of 2017
passed by Munsif, 1st, Munger, whereby
and whereunder the application filed
under Order 39 Rule 1 of the C.P.C. for
restraining the respondent no. 4 by an*



order of temporary injunction from functioning as Ward Parshad of Ward No. 13 of Nagar Panchayat, Haveli Khagarpur till the disposal of election petition has been rejected.

(ii) For grant of stay of functioning of respondent no. 4 till disposal of the election petition for the ends of justice.

(iii) Any other relief/s which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. After some arguments, learned counsel for the petitioner submitted that the writ petition be disposed off with a direction to the Munsif-1st, Munger to decide Election Petition No. 01 of 2017 expeditiously.

4. Learned counsel for the respondents do not oppose.

5. The Court finds the submissions of learned counsel to be valid, for, in election matters, if the challenge is to the election, the same has to be decided at the earliest, for a person who may have committed irregularities in getting elected, should not be allowed to continue on the post.

6. In view thereof, the writ petition stands disposed off with a direction to the Munsif-1st, Munger to dispose off



Election Petition No. 01 of 2017, expeditiously and latest within a period of four months from the date of production of a copy of this order before him.

(Ahsanuddin Amanullah, J)

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